

Amendment
Serial No. 10/500,287
Attorney Docket No. 042424

REMARKS

By the present amendment, claims 1 and 10 have been amended to incorporate therein the subject matter of claims 3 and 11, respectively, and to specify that the cholesteric liquid crystal layer is formed from a liquid crystal monomer represented by the chemical formula (10) and a polymerizable chiral dopant represented by the chemical formula (38). Accordingly, claims 3 and 11 have been canceled.

Support for the added recitations is found in the original application, for example on pages 14 and 20.

Claims 1-2, 4-10 and 12-15 are pending in the present application. Claims 1 and 10 are the only independent claims.

In the Office Action, claims 1-3, 5-11 and 13-15 are rejected under 35 U.S.C. 102(e) as anticipated by US 6,685,998 to Nishikawa et al. (“Nishikawa”), and claims 4 and 12 are rejected under 35 U.S.C. 103(a) as obvious over Nishikawa in view of US 6,580483 to Suzuki et al. (“Suzuki”).

It is alleged in the Office Action that Nishikawa discloses the optical element comprising a lamination of A-plate and B-plate.

Reconsideration and withdrawal of the rejections is respectfully requested. Nishikawa is completely silent as to a cholesteric liquid crystal layer formed of a liquid crystal monomer of formula (10) and a chiral dopant of formula (38). Further, Suzuki fails to remedy this deficiency of Nishikawa.

Amendment
Serial No. 10/500,287
Attorney Docket No. 042424

In contrast, the present inventors have discovered that using a cholesteric liquid crystal layer formed of a liquid crystal monomer of formula (10) and a chiral dopant of formula (38) in a polarizing plate as recited in present claim 1 or an optically compensating layer as recited in present claim 10 is advantageous in that it makes it possible to obtain wide viewing angles. This feature of the present invention and its advantages are not taught or suggested in Nishikawa or Suzuki. Therefore, the present claims are not anticipated by Nishikawa, and not obvious over Nishikawa taken alone or in any combination with Suzuki.

In view of the above, it is submitted that the rejections should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

If there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Amendment
Serial No. 10/500,287
Attorney Docket No. 042424

If this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel

Attorney for Applicants

Reg. No. 44,373

Telephone: (202) 822-1100

Facsimile: (202) 822-1111

NES/rep